



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456

a. Rule



January 12, 2004

CERTIFIED MAIL
7099 3400 0002 9773 9942
RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

Uraseal, Inc.
1 Washington Street
Dover, New Hampshire 03820

Attn: Mr. John K. Burnham, President

Re: Uraseal, Inc.
Dover, New Hampshire
EPA ID # NH5986485217

Dear Mr. Burnham:

On November 25, 2003, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Uraseal, Inc. ("Uraseal"). The purpose of the inspection was to determine Uraseal's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

1 Env-Wm 509.02(a)(2) – Personnel Training

Training records provided to DES at the time of inspection, failed to document a training program which includes a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain specific documents and records related to personnel training at the facility.

DES requested that Uraseal maintain a written personnel training plan which provides a description of the type and amount of introductory and continuing training that is given to persons filling each hazardous waste related position. DES requests that Uraseal maintain, as part of the program, documents of hazardous waste job titles, job descriptions, and names of employees filling each position and correct any deficiencies identified in the enclosed Hazardous Waste Generator Inspection Report.

DES requested that Uraseal submit a copy of this personnel training program to DES

The December 4, 2003 Uraseal e-mail submittal provided a personnel training plan detailing hazardous waste job titles, job descriptions, the names of employees filling each position, and a description of the type and amount of introductory and continuing training that is given to persons filling each position. No further action is required.

Env-Wm 509.02(a)(5) – Contingency Plan

A review of Uraseal's contingency plan revealed deficiencies regarding the following:

- A physical description of each emergency equipment item
- A brief outline of the capability of each emergency equipment item;
- A description or illustration of facility evacuation routes; and
- A description or illustration of alternate facility evacuation routes.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that Uraseal revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

In a December 23, 2003 e-mail submittal from Mr. Thom Daggett, H S & E Coordinator, documentation was provided demonstrating that Uraseal's contingency plan was complete. No further action is required.

3. Env-Wm 509.02(b)– Emergency Posting

At the time of the inspection, Uraseal's emergency posting at the nearest telephone to the hazardous waste storage area was present but incomplete.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers at the nearest telephone to the hazardous waste storage area:

The emergency coordinators (home and office)

The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and

- (c) The location of fire extinguishers and spill control material, and if present, fire and internal emergency alarms.

DES requested that Uraseal post the required information at the nearest telephone to the hazardous waste storage area.

In a December 4, 2003 submittal from Mr. Thom Daggett, H S & E Coordinator, documentation was provided demonstrating that Uraseal's emergency posting was complete. No further action is required.

At the time of inspection, according to DES notification records, Uraseal had notified as a Full Quantity Generator (>1000 kilograms/ month). However, a review of waste disposal records indicates that Uraseal's generator status is that of a Full Quantity Generator (100 - 1000 kilograms/ month). During the inspection, DES requested that Uraseal review facility hazardous waste generation rates in order to determine proper generator status; and if necessary, complete and submit a subsequent notification form that accurately reflects the change in generator status. On December 3, 2003, Mr. Thom Daggett, H S & E Coordinator, contacted the DES Reporting and Information Management Section to request the above-referenced change to Uraseal's generator status. No further action is required.

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of a report describing the corrective measures taken by Uraseal to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll free at (866) HAZ-WAST (in-state only) or at (603) 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Eric K. Abrams or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

 **COPY**

Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

cc DB/RCRA/NOPV/Archives
Anthony P. Giunta, P.G., Director, Waste Management Division
Gretchen Rule Esq., Administrator, DES Legal Unit
Thom Daggett, H S & E Coordinator, Uraseal, Inc.
Pam LaRoche, H S & E/Senior Lab Technician, Uraseal, Inc.

E-mail: JJD/SD/SD/PM

Enclosure: Inspection Modules